

# Memorandum

**To:** Water District 34 File  
**Thru:** *ms* Glen Saxton, *NY* Norm Young  
**From:** Tim Luke *TJL*  
**Date:** May 5, 2000  
**Re:** Delivery of Natural Flow in Water District 34, Big Lost River

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Doug Rosenkrance called me on Thursday, May 4 to advise the Department that the Big Lost River between Moore and Arco was broken. As of early Thursday morning, Doug estimated about 2000 inches (40 cfs) was flowing past the Moore/Eastside Canals but this water was not reaching the Arco Canal downstream. As a result, he turned the water into the Eastside Canal and began using the Eastside to convey natural flow to the Arco. He also mentioned that there is no flow in the river below the Arco because the remaining available natural flow in the river is being diverted to the Arco and Munsey Canals.

Doug wanted to advise us of this action pursuant to Water District 34 Distribution Rule 030.01. This rule provides authority for using the Eastside to convey natural flow to the Arco Canal. The rule requires approval of the director. Doug and I reviewed the conditions under the rule that must be satisfied in order to use the Eastside to convey natural flow. The conditions are:

- a) The full flow of the river, including storage water, to be delivered downstream of the Moore diversion is not greater than the capacity of the Eastside Canal.
- b) More natural flow water can be delivered to calls for natural flow than could be delivered by using the natural river channel.
- c) No water right is injured.
- d) Measuring devices are installed and maintained where the flow leaves the river channel and where it returns to the river channel.

The flow of the river being diverted to the Eastside is less than the capacity of the canal. Doug has verified that the natural flow of the river channel is not reaching the Arco diversion and that more natural flow can be delivered to the Arco by using the Eastside. Doug has received calls for water on the Arco Canal and requests from users to use the Eastside. Doug also confirmed that the decision to use the Eastside was made in consultation with the Big Lost River Irrigation District. Adequate measuring devices are in place at the head of the Eastside Canal and the point where the canal returns to the river.

Given that all of the conditions of Rule 30.01 were met, approval by the director was warranted. I advised Doug that the action appeared to be appropriate and in accordance with the rules. I gave approval of the action on behalf of the director and the department.

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Doug Rosenkrance further mentioned that he anticipates calls for delivery of natural flow rights to the McLaughlin Canal located below the Arco and Munsey Canals. Rule 030.02 provides that the Munsey Canal may be used as an alternative point of diversion to the McLaughlin Canal if the losses in the natural river channel prevent delivery of rights to the McLaughlin. Certain conditions are also specified under Rule 030.02 to allow the use of the Munsey as an alternative point of diversion for the McLaughlin. Dough is prepared to implement Rule 030.02 recognizing that a call for rights from the McLaughlin is likely and that users will request the use of the alternate point of diversion. Again, approval from the director is warranted as long as all the conditions under Rule 030.02 are satisfied.

Cc: Doug Rosenkrance, Watermaster, Water District 34